

UNITED STATES DISTRICT COURT
 for the
Eastern District of Michigan

United States of America

v.

Kyle Hobbs

Case No. 2:21-mj-30334

Judge: Unassigned,
 Filed: 07-06-2021

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 3, 2019 and October 1, 2020 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC § 2252A(a)(2)	Receipt of child pornography
18 USC § 2252A(a)(5)(b)	Possession of child pornography

This criminal complaint is based on these facts:
 see attached affidavit.

Continued on the attached sheet.


 Complainant's signature

Amy M. Hirina, Special Agent (FBI)
 Printed name and title


 Judge's signature

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: July 6, 2021

City and state: Detroit, Michigan

Hon. Patricia T. Morris, United States Magistrate Judge
 Printed name and title

AFFIDAVIT

I, Amy M. Hirina, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Detroit Division, being duly sworn, depose and state as follows:

I. INTRODUCTION

1. I have been employed as a Special Agent of the FBI since 2005, and am currently assigned to the FBI Detroit Division, Oakland County Resident Agency. While employed by the FBI, I have investigated federal criminal violations involving the online sexual exploitation of children. I have gained experience through training at the FBI Academy, post Academy training, and everyday work related to conducting these types of investigations.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute arrest warrants issued under the authority of the United States.

3. This affidavit is made in support of an application for a criminal complaint and arrest warrant for KYLE HOBBS (DOB 04/XX/1987) for violations of 18 U.S.C. § 2252A(a)(2) (Receipt of Child Pornography), and 18 U.S.C. § 2252A(a)(5)(B) (Possession of Child Pornography).

II. PROBABLE CAUSE

4. A user of the Internet account at 3*** Grafton Street, Lake Orion, Michigan, has been linked to an online community of individuals who regularly send and receive child pornography. The child pornography is housed on a website operated on the Tor¹ anonymity network.

5. U.S. and foreign law enforcement agencies investigate anonymous offenders engaging in online child sexual exploitation via Tor hidden service websites. Those websites are globally accessible. The websites and their users may be located anywhere in the world. Due to the anonymity provided by the Tor network, it can be difficult or impossible to determine, at the beginning of an investigation, where in the world a particular website or user is located. Accordingly, when a law enforcement agency obtains evidence that such a website or website user may be located in another country, in accordance with each country's laws, it is common practice for that law enforcement agency to share information with law enforcement (1) in the country where the site is located; or (2) where the offender appears to reside.

¹ *Tor- To access the Tor network, a user must install Tor software. That is most easily done by downloading the free “Tor browser” from the Tor Project, the private entity that maintains the Tor network, via their website. The Tor browser is a web browser that is configured to route a user’s Internet traffic through the Tor network. Torproject.org states “Browse Privately. Explore Freely. Defend yourself against tracking and surveillance. Circumvent censorship.”*

6. In August of 2019, a Foreign Law Enforcement Agency (referenced herein as “FLA”) known to the FBI, and with a history of providing reliable, accurate information in the past, contacted the FBI. The FLA provided the following information:

- a. On June 3, 2019, a user of IP address 68.42.110.132 accessed online child sexually abusive and exploitive material via the website reference in paragraph 4 on the Tor network;
- b. The website was described as having “*an explicit focus on the facilitation of sharing child abuse material (images, links and videos), emphasis on babies and toddlers (ages 0-5 years old),*”;
- c. “[u]sers were required to create an account (username and password) in order to access the majority of the material,”; and
- d. Documentation about the website referenced in paragraph 4, which the FLA referred to by its actual name.

7. According to publicly available information, IP address 68.42.110.132 was registered to Comcast. On December 5, 2019, through a subpoena, the FBI determined that Comcast IP address 68.42.110.132 resolved to a residence in Orion, Michigan.

8. On October 1, 2020, a search warrant was executed at 3*** Grafton Street, Lake Orion, Michigan. Numerous electronic devices were seized, to include, a Maxtor storage device, HP Pavillion, HP laptop, and PNY thumb drive.

9. A forensic review was completed of the above listed electronic devices. Approximately 17,000 images and 1,600 videos were observed that meet the federal definition of child pornography.

10. On approximately October 1, 2020, Kyle Hobbs consented to an interview with the FBI. Kyle Hobbs stated that he started searching for child pornography on the TOR network in approximately 2017. Kyle Hobbs estimated he viewed child pornography 100 times in the past, and estimated he likely downloaded “a few hundred videos.”

III. CONCLUSION

11. I believe that probable cause exists that Kyle Hobbs (DOB 04/XX/1987) violated 18 U.S.C. § 2252A(a)(2) (Receipt of Child Pornography) and 18 U.S.C. § 2252A(a)(5)(B) (Possession of Child Pornography).

Respectfully submitted,



Amy M. Hirina, Special Agent
Federal Bureau of Investigation

Sworn to before me and signed in my
presence and/or by reliable electronic means.



HON. PATRICIA T. MORRIS
UNITED STATES MAGISTRATE JUDGE

Date: July 6, 2021